

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Anthony Quinn Marshall

Docket No. 7:11-CR-31-1D

Petition for Action on Supervised Release

COMES NOW John A. Cooper, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Anthony Quinn Marshall, who upon an earlier plea of guilty to 21 U.S.C. § 846, Conspiracy to Possess With Intent to Distribute 28 Grams or More of Cocaine Base, was sentenced by the Honorable James C. Dever, III, Chief U.S. District Judge, on November 22, 2011, to the custody of the Bureau of Prisons for a term of 72 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months.

Anthony Quinn Marshall was released from custody on July 1, 2016, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

Mr. Marshall has been on supervision for over 8 months and has been fully compliant until he recently submitted to urine testing on March 2 and 7, 2017, and the result of each test was positive for cocaine. He was confronted about this and admitted to participating in activities that led him to use cocaine and seems very remorseful for his behavior. He is currently enrolled in drug testing and treatment but he agrees with the probation officer, that participation in a cognitive behavioral program would help him make better decisions about his activities in the future. Furthermore, in that he has two separate incidents of use within 5 days, we are recommending a 3 day jail sanction and participation in the DROPS program in response to illegal drug use. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall participate in a cognitive behavioral program as directed by the probation office.
2. While under supervision in the Eastern District of NC, the defendant shall participate in the DROPS Program and, in response to detected illegal drug use, shall be confined in the custody of the Bureau of Prisons for a period not to exceed 30 days of intermittent confinement, as arranged by the probation office, in the following increments: First Use - Two Days; Second Use - Five Days; Third Use - Ten Days; The defendant shall begin the DROPS Program in the third use level.
3. The defendant shall be confined in the custody of the Bureau of Prisons for a period of 3 days, as arranged by the probation office and shall abide by all rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Robert L. Thornton
Robert L. Thornton
Supervising U.S. Probation Officer

/s/ John A. Cooper
John A. Cooper
U.S. Probation Officer
2 Princess Street, Suite 308
Wilmington, NC 28401-3958
Phone: 910-679-2046
Executed On: March 16, 2017

ORDER OF THE COURT

Considered and ordered this 17 day of March, 2017, and ordered filed and
made a part of the records in the above case.

James C. Dever
James C. Dever, III
Chief U.S. District Judge